

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

THE PROPOSED MERGER OF THE	)	
McKINNEY WATER DISTRICT AND THE	)	CASE NO. 8974
McKINNEY WATER ASSOCIATION,	)	
LINCOLN COUNTY, KENTUCKY	)	

O R D E R

On October 9, 1984, the Commission entered an Order in this proceeding, pursuant to KRS 74.361, requiring that the McKinney Water Association be merged into the McKinney Water District by January 1, 1985. By Order entered March 29, 1985, the Commission extended the merger date to October 1, 1985.

On September 4, 1985, the McKinney Water District, by counsel, filed with the Commission a revised timetable<sup>1</sup> setting forth the necessary steps with dates to accomplish the merger. The revised timetable contemplated that by October 21, 1985, both the McKinney Water District and McKinney Water Association would have formally approved a contract for sale and purchase of the latter's assets.

The Commission having received no report on the status of the merger since the filing of the revised timetable, is of the opinion and hereby finds that a status report should be filed within 10 days.


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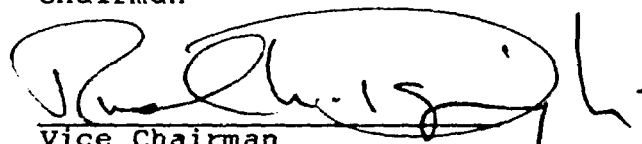
<sup>1</sup> See Appendix A attached hereto.

IT IS THEREFORE ORDERED that within 10 days of the date of this Order the McKinney Water District and McKinney Water Association shall file individually or collectively a report on the status of their merger as contemplated in their revised timetable.

Done at Frankfort, Kentucky this 7th day of November, 1985.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

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Secretary

## REVISED TIMETABLE FOR MCKINNEY MERGER

DATED 11/7/85

<u>DATE</u>	<u>DISTRICT</u>	<u>ASSOCIATION</u>
September 20	Board of Commissioners meeting to agree to comply with Order of PSC, agree to purchase assets of Association and to assume liabilities of Association, and to file Petition for annexation	Board of Directors meeting to agree to comply with Order of PSC, agree to sell assets of Association to District, and to call a meeting of the Members
September 23	File Petition for annexation and approval of acquisition with the County Judge/Executive and tender Order Fixing Hearing Date (must be more than 30 days after first publication of Notice)	
September 26	First publication of Notice of Hearing (more than 30 days prior to Hearing)	
October 15		Meeting of Membership for approval of sale of assets of Association to District and to approve dissolution to take place after closing. NOTE: ByLaws define "quorum" as the members present at a meeting, and KRS 273.293 defines "quorum" as 10% of the membership. Voting by proxy permitted by both By-Laws and Statute. We suggest that a special effort be made to have more than 10% of the membership present at the meeting, and, in addition, that proxies be obtained from not less than an additional 10% of the members.
October 16		Meeting of Board of Directors to approve Contract of Sale and Purchase, authorize execution of Deed and Bill of Sale and any other documents, and approve dissolution to take place after closing
October 21	Meeting to approve Contract of Sale and Purchase (probably should adopt Amended Rate Resolution, to become effective only after closing)	
October 24	Second publication of Notice of Hearing (between 7 and 21 days prior to Hearing)	
November 12	Hearing date - Judge signs Order approving annexation	
November 19	Closing involving execution of documents by District and Association	
After closing		Association files Articles of Dissolution